

IN THE UNITED STATES DISTRICT COURT FOR 10-39

FOR THE DISTRICT OF MONTANA

GREAT FALLS DIVISION

UNITED STATES OF AMERICA,)	Cause No. CR 05-39-GF-SEH
)	CV 11-08-GF-SEH
Plaintiff/Respondent,)	
)	
vs.)	ORDER DISMISSING MOTION AND
)	DENYING CERTIFICATE OF
ALFRED FRANCIS CHARETTE,)	APPEALABILITY
)	
Defendant/Movant.)	

Yet again, this case comes before the Court on Defendant Alfred Charette's uncertified successive motion under 28 U.S.C. § 2255. He purports to file in the Missoula Division, but he is challenging a conviction obtained in the Great Falls Division and cannot change the venue now. Nothing about this case has changed since the Court entered its Order dismissing Charette's last uncertified successive § 2255 motion on December 14, 2010.

ORDERED:

1. Charette's successive § 2255 motion (doc. 138) is DISMISSED for lack of

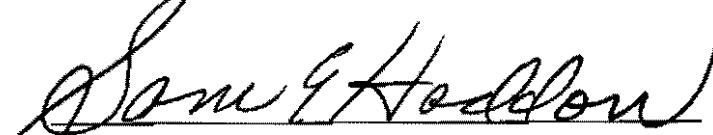
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jurisdiction as uncertified.

2. A certificate of appealability is DENIED.

3. The Clerk of Court is directed to enter, by separate document, a judgment of dismissal in the civil case.

DATED this 25th day of January, 2011.



Sam E. Haddon
United States District Judge

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